

**IN THE UNITED STATES BANKRUPTCY COURT  
HAMMOND DIVISION  
NORTHERN DISTRICT OF INDIANA**

|                 |   |                   |
|-----------------|---|-------------------|
| IN RE:          | ) |                   |
| ROBERT NICHOLS, | ) | Case No: 18-22695 |
|                 | ) |                   |
| Debtor(s)       | ) |                   |
|                 | ) | Chapter: 13       |

**MOTION TO VOLUNTARILY DISMISS CHAPTER 13 CASE**

Debtor, Robert Nichols, by and through Counsel, Harris Law Firm, P.C., by Nicholas

A. Snow, respectfully moves the Court to dismiss this proceeding pursuant to 11 U.S.C.

§1307(b). In support of said motion, Debtor offers the following:

1. That Debtor filed his bankruptcy petition on October 5, 2018;
2. That this proceeding was filed as a Chapter 13 proceeding, and has never been converted;
3. That a number of Debtor's schedules, despite having been filed with the Court, will require amendment;
4. That Debtor has been approved to pay the filing fee in installments, but has not yet made a payment;
5. That Debtor is making inquiry to his mortgage company with regard to a possible modification to his mortgage, which, if successful, would allow him to file a Chapter 7 proceeding;
6. That Debtor is now gainfully employed and intends to make a determination of whether to file a Chapter 7 proceeding or re-file under Chapter 13 at such time as he receives a final determination from his mortgage company regarding a potential loan modification;

7. That, under 11 U.S.C. §1307(b), the Debtor may dismiss this Chapter 13 filing at any time; and
8. That a copy of this Motion has been sent, on the date indicated below, to the Debtor, the Chapter 13 Trustee serving in this case and the U.S. Trustee.

WHEREFORE, Debtor respectfully requests that the Court issue an order dismissing this case without prejudice to any party, and further granting all other relief which the Court deems just and proper in this circumstance.

DATED: NOVEMBER 20, 2018

Robert Nichols, Debtor

BY: /s/ Nicholas A. Snow  
NICHOLAS A. SNOW  
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### **CERTIFICATE OF SERVICE**

This is to certify that notice of this Motion was served on the parties by placing a copy in the U.S. Mail directed to the addresses listed below, or via the Court's electronic noticing system on NOVEMBER 20, 2018.

/s/ Nicholas A. Snow

Paul R. Chael, Chapter 13 Trustee, 401 W. 84<sup>th</sup> Dr., Suite C, Merrillville, IN 46410;  
U.S. Trustee, 100 East Wayne Street, Room 555, South Bend, IN 46601;  
Robert Nichols, 119 W. 46<sup>th</sup> Ave., Gary, IN 46408-3905